

Remarks:

Applicant has carefully studied the non-final Examiner's Action mailed 09/10/2004 shortened statutory period for response set to expire 12/10/2004, and all references cited therein. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by centered headings and numbered paragraphs that correspond to the centered headings and paragraph numbering employed by the Office, to ensure full response on the merits to each finding of the Office.

Claim Rejections – 35 U.S.C. § 102

1. Applicant acknowledges the quotation of 35 U.S.C. § 102(b).

2. Claims 1, 2, and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Shioiri et al. (hereinafter "Shioiri"). The cancellation of Claim 2 has rendered moot this ground of rejection as it relates to said claim 2. This rejection as it relates to claims 1 is met by cancellation of claims 2-6 and incorporation of the subject matter of said canceled claims into claim 1, currently amended. Shioiri neither teaches nor suggests securing the first part of the display to a wiper arm by a first pair of brackets at the radially innermost end of the wiper arm and by a second pair of brackets at the radially outermost end of the wiper arm where the brackets are slotted to receive flexible ties. This rejection as it relates to claim 8 is met by cancellation of claims 8-10 and incorporation of the subject matter of claims 8 and 9 into new claim 11 and the incorporation of the subject matter of claim 10 into new claim 12. Shioiri neither teaches nor suggests securing the first part of the display to a wiper arm by a first bracket positioned under the radially innermost end of the wiper arm and by a second bracket positioned under the radially outermost end of the wiper arm where the first and second brackets are respectively slotted to receive first and second flexible ties.

3. Claims 1, 5, and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Gaul. Reconsideration and withdrawal of this ground of rejection is requested for the reasons that follow. The cancellation of Claim 5 has rendered moot this ground of rejection as it relates to said claim 5. This rejection as it relates to claim 1 is met by cancellation of claims 2-6 and incorporation of the subject matter of said canceled claims into claim 1, currently amended. This rejection as it relates to claim 8 is met by cancellation of claims 8-10 and incorporation of the

subject matter of claims 8 and 9 into new claim 11 and the incorporation of the subject matter of claim 10 into new claim 12. Gaul neither teaches nor suggests securing the first part of the display to a wiper arm by a first bracket positioned under the radially innermost end of the wiper arm and by a second bracket positioned under the radially outermost end of the wiper arm where the first and second brackets are respectively slotted to receive first and second flexible ties.

4. Applicant acknowledges the Office's characterization of Gaul as suggesting first and second bracket members.

Claim Rejections – 35 USC § 103

5. Applicant acknowledges the quotation of 35 U.S.C. § 103(a).

6. Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shioiri in view of Kosowan. This rejection is rendered moot by the cancellation of said claims 3 and 4.

7. Applicant acknowledges the Office's characterization concerning the obviousness of employing a pair of suction cups.

8. Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shioiri in view of Romaine. This rejection is rendered moot by the cancellation of said claims 3 and 4.

Allowable Subject Matter

9. Claims 6, 7, 9, and 10 are indicated as being in condition for allowance if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The subject matter of claim 6 and all intervening claims (2-5) is incorporated into claim 1, currently amended and therefore is now in condition for allowance. Claim 7 is amended to depend to claim 1, currently amended, and therefore is in condition for allowance as a matter of law. The respective subjects matter of cancelled claims 8 and 9 are now recited in new claim 11 and the subject matter of cancelled claim 10 is now recited in new claim 12 that depends to new claim 11.

Conclusion

10. Applicant agrees that the art made of record and not relied upon is not more pertinent to the claimed invention than the art cited.

If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone

call to the undersigned at (727) 507-8558 is requested. Applicant thanks the Office for its careful examination of this important patent application.

Very respectfully,

SMITH & HOPEN

Dated: December 6, 2004

By: 

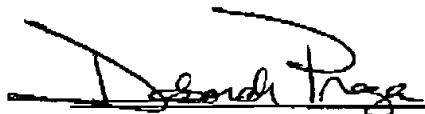
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CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3611, Attn: Cassandra Hope Davis, (703) 872-9326 on December 6, 2004.

Dated: December 6, 2004


Deborah Preza